

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Apr 18, 2018**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Naomi N. Warren

Case Number: 0980 2:17CR00017-TOR-1

Address of Offender: Unknown

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, Chief U.S. District Judge

Date of Original Sentence: May 30, 2017

Original Offense: Embezzlement and Theft from Indian Tribal Organizations, 18 U.S.C. § 4

Original Sentence: Prison - 5 months
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Patrick J. Cashman

Date Supervision Commenced: November 16, 2017

Defense Attorney: Daniel Noah Rubin

Date Supervision Expires: November 15, 2020

PETITIONING THE COURT

To issue a **warrant** and to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 01/19/2018, 02/27/2018 and 03/06/2018.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
|---|--|
| 8 | <u>Mandatory Condition # 2:</u> You must not unlawfully possess a controlled substance. You must refrain from any unlawful use of a controlled substance, including marijuana, which remains illegal under federal law. |
|---|--|

Supporting Evidence: On November 20, 2017, the offender reported to the U.S. Probation Office for the purpose of an intake. It was at that time the offender was informed of all mandatory, standard, and special conditions of supervised release. The offender acknowledged she understood her obligation to the Court.

On April 1, 2018, Ms. Warren submitted a urine sample at the residential reentry center (RRC). Said urine sample was sent to Redwood Toxicology Laboratory, in which further testing indicated THC (marijuana) was detected, which is in direct violation of her terms of supervised release, specifically mandatory condition number 2.

- | | |
|---|---|
| 9 | <u>Special Condition # 10:</u> You must reside in a residential reentry center (RRC) for a period up to 180 days at the direction of the supervising officer. Your participation in the programs offered by the RRC is limited to employment, education, treatment, and religious services |
|---|---|

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at the direction of the supervising officer. The defendant shall abide by the rules and requirements of the facility.

Supporting Evidence: On February 22, 2018, Ms. Warren signed a waiver of a hearing to modify conditions of supervised release, specifically for the above-noted condition, special condition number 10. On February 26, 2018, the Honorable Thomas O. Rice, Chief U.S. District Judge, signed the modification of special condition number 10.

On April 7, 2018, RRC staff informed the undersigned that Ms. Warren left the facility against staff advice, and was subsequently placed on absconder status, ultimately losing her placement at the RRC. Ms. Warren thus violated her conditions of supervised release, specifically to special condition number 10, by failing to abide by the rules and requirements of this facility.

10 **Mandatory Condition # 2:** You must not unlawfully possess a controlled substance. You must refrain from any unlawful use of a controlled substance, including marijuana, which remains illegal under federal law.

Supporting Evidence: On November 20, 2017, the offender reported to the U.S. Probation Office for the purpose of an intake. It was at that time the offender was informed of all mandatory, standard, and special conditions of supervised release. The offender acknowledged she understood her obligation to the Court.

On April 10, 2018, Ms. Warren submitted a urinalysis at the U.S. Probation Office that tested presumptive positive for marijuana, amphetamine, and methamphetamine. Ms. Warren denied using any illegal substance, and indicated her last use of any illegal substance was marijuana on March 1, 2018, which she previously admitted to as noted in the petition filed on March 6, 2018. Said urine sample was thus sent to the laboratory for further testing. It should be noted, Ms. Warren submitted a urine sample at the U.S. Probation Office on March 22, 2018, in which this urinalysis tested negative for the aforementioned illegal substances.

On April 16, 2018, the probation office received confirmation the sample submitted by Ms. Warren on April 10, 2018, was positive for both methamphetamine and a marijuana metabolite, a direct violation of mandatory condition number 2.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 01/19/2018, 02/27/2018 and 03/06/2018, and that the Court issue a warrant requiring the offender to appear to answer to the allegations contained in this petition.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 04/17/2018

s/Jonathan C. Bot

Jonathan C. Bot
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

April 18, 2018

Date